

# **EXHIBIT A**

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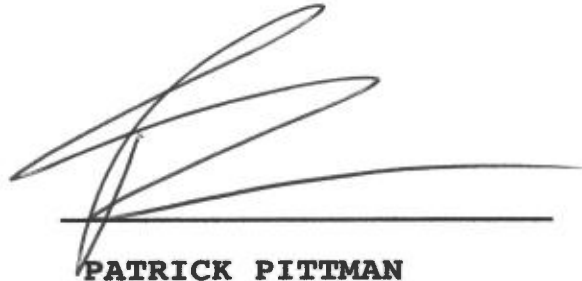
**www.LexitasNG.com      Lexitas      888-267-1200**

**C E R T I F I C A T I O N**

I hereby certify that I have read the foregoing transcript of my deposition testimony, and that my answers to the questions propounded, with the attached correction or changes, if any, are true and correct.

7-27-18

**DATE**



**PATRICK PITTMAN**



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

U.S. Bank National Association as Trustee  
Successor in Interest to Bank of America  
National Association as Successor by Merger  
To LaSalle Bank National Association as  
Trustee for Certificateholders of Bear Stearns  
Asset Backed Securities I LLC Asset Backed  
Certificates Series 2007-HE7, c/o 3415 Vision  
Drive, Columbus, Ohio 43219,

Civil Action No. 1:17-cv-01466-YK

Plaintiff,

v.

Brian A. Gerber and Tracy L. Gerber,  
Mortgagors and Record Owners, 19 West  
Greenhouse Road, Dillsburg, PA 17019,

Defendants.

---

Brian A. Gerber and Tracy L. Gerber,  
Mortgagors and Record Owners, 19 West  
Greenhouse Road, Dillsburg, PA 17019,

Counter-Plaintiffs,

v.

U.S. Bank National Association as Trustee  
Successor in Interest to Bank of America  
National Association as Successor by Merger  
To LaSalle Bank National Association as  
Trustee for Certificateholders of Bear Stearns  
Asset Backed Securities I LLC Asset Backed  
Certificates Series 2007-HE7, c/o 3415 Vision  
Drive, Columbus, Ohio 43219,

Counter-Defendant.

---

**DEFENDANTS'/COUNTERPLAINTIFFS' AMENDED NOTICE OF TAKING  
DEPOSITION OF F.R.C.P. 30(B)(6) REPRESENTATIVE OF PLAINTIFF**  
(new date agreed upon by counsel)

TO: Designated Representative of Plaintiff



c/o Adam Shienvold, Esq., Eckert Seamans Cherin & Mellott LLC  
213 Market Street, 8<sup>th</sup> Floor  
Harrisburg, Pennsylvania 17101

PLEASE TAKE NOTICE that the Defendants/Counter-Plaintiffs Brian A. Gerber and Tracy L. Gerber, through their counsel and pursuant to F.R.C.P. 30(b)(6), will take the deposition of the designated representative of the Plaintiff U.S. Bank National Association as Trustee Successor in Interest to Bank of America National Association as Successor by Merger To LaSalle Bank National Association as Trustee for Certificateholders of Bear Stearns Asset Backed Securities I LLC Asset Backed Certificates Series 2007-HE7, c/o 3415 Vision Drive, Columbus, Ohio 43219, at the offices of Eckert Seamans Cherin & Mellott, LLC, 213 Market Street, 8<sup>th</sup> Floor, Harrisburg, Pennsylvania 17101 on Monday, July 2, 2018 beginning at 9:30 a.m. EST. The deposition will take place before a certified court reporter duly authorized to administer oaths, will be recorded and transcribed by stenographic means, and will continue from day to day until completed.

The deponent will be questioned as to all matters set forth in the Plaintiff's Complaint; the manner and means by which Plaintiff claims to have come into the right to seek enforcement of the Note and Mortgage; the formation and operation of the securitized mortgage loan Trust into which Plaintiff claims the Gerbers' mortgage was transferred; restrictions and limitations on the transfer of mortgage loans to the subject Trust; execution and authority to execute the Allonge; the alleged authority of MERS to have assigned the Mortgage; all payments made toward the obligation evidenced by the Note by any source and at any time; Plaintiff's compliance with paragraph 22 of the Mortgage; the Gerbers' rescission of the loan; and the unilateral modification of the mortgage loan contract as alleged in the Gerbers' Counterclaim.

Dated this 4th day of June, 2018.

Respectfully submitted,

Jeff Barnes, Esq. (admitted PHV)  
W. J. Barnes, P.A.  
Co-counsel for Gerber parties  
1515 North Federal Highway, Suite 300  
Boca Raton, Florida 33432  
Tel: (561) 864-1067  
Fax: (561) 338-4840

By: /s/ Stephen K. Portko, Esq.  
Stephen K, Portko, Esq.  
Counsel for Gerber parties  
101 South U.S. Route 15  
Dillsburg, Pennsylvania 17019  
Tel: (717) 432-2538  
PA Bar Identification No. 34538

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct courtesy copy of the foregoing has been served upon counsel for Plaintiff/Counter-Defendant on this 4th day of June, 2018.

Jeff Barnes, Esq. (admitted PHV)  
W. J. Barnes, P.A.  
Co-counsel for Gerber parties  
1515 North Federal Highway, Suite 300  
Boca Raton, Florida 33432  
Tel: (561) 864-1067  
Fax: (561) 338-4840

By: /s/ Stephen K. Portko, Esq.  
Stephen K, Portko, Esq.  
Counsel for Gerber parties  
101 South U.S. Route 15  
Dillsburg, Pennsylvania 17019  
Tel: (717) 432-2538  
PA Bar Identification No. 34538

Asen  
49848

Prepared By and Return To: Referral Department  
GOLINBECK McCAFFERTY & McKEEVER  
Mellon Independence Center - Suite 5000  
701 Market Street  
Philadelphia, PA 19106-1532  
215-825-6344



0019697978

GMM File Number: 102326FC

67-  
Parcel ID#: 29-000-OB0033.Q0-00000

### ASSIGNMENT OF MORTGAGE

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (Assignor),  
for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration,  
the receipt of which is acknowledged, does grant bargain, sell, assign and transfer to BANK OF  
AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY MERGER TO LASALLE BANK  
NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR  
STEARNS ASSET BACKED SECURITIES I LLC, ASSET-BACKED CERTIFICATES, SERIES  
2007-HE7.  
E/TR

BANK OF AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY  
MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR  
CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC,  
ASSET-BACKED CERTIFICATES, SERIES 2007-HE7 (Assignee),  
all of its right, title and interest, as holder of, in, and to the following described mortgage, the property  
described and the indebtedness secured by the mortgage:

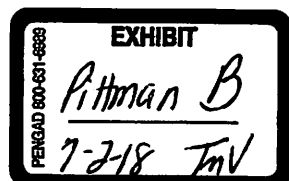
Executed BRIAN A. GERBER and TRACY L. GERBER, Mortgagor(s); to  
HOMELoanADVISORS.COM. Bearing date of: July 09, 2007; Amount Secured: \$247,500.00;  
Recorded on August 01, 2007; in Book 1911 Page 3997; in the Recorder of Deeds Office of York  
County, Commonwealth of Pennsylvania ("Mortgage")

Property: 19 West Greenhouse Road, Dillsburg, PA 17019

AS FURTHER DESCRIBED IN EXHIBIT "A", ATTACHED AND INCORPORATED INTO THIS  
ASSIGNMENT.

Together with the note or obligation described in the Mortgage endorsed to the Assignee, ("Note") and all  
moneys due and to become due on the Note and Mortgage, with interest. Assignee its successors, legal  
representatives and assigns shall hold all rights under the Note and Mortgage forever, subject however, to  
the right and equity of redemption, if any, of the maker(s) of the Mortgage, their heirs and assigns forever.

Assignor, by its appropriate corporate officers, has executed and sealed with its corporate seal this  
Assignment of Mortgage on this 21 day of September, 2010.



Book 2096 Page 5331

SPS-000441

**SCHEDULE "A"**  
**PROPERTY DESCRIPTION**

**Legal description of the land:**

ALL THAT CERTAIN TRACT OF LAND SITUATE IN FRANKLIN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, BEING MORE FULLY BOUNDED AND LIMITED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 ALSO KNOWN AS GREENHOUSE ROAD; THENCE ALONG LANDS OF JAMES H. WESTBROOK SOUTH THIRTY NINE ( 39 ) DEGREES FIFTEEN ( 15 ) MINUTES TEN ( 10 ) SECONDS WEST TWO HUNDRED EIGHTY ONE AND FOURTEEN HUNDREDTHS ( 281.14 ) FEET TO A SURVEYOR'S MARKER AT LANDS OF JAMES H. WESTBROOK; THENCE ALONG LOT NO. 1-B NORTH FIFTY ONE ( 51 ) DEGREES SEVEN ( 07 ) MINUTES THIRTY FIVE ( 35 ) SECONDS WEST TWO HUNDRED SIX AND THREE HUNDREDTHS ( 206.03 ) FEET TO A CONCRETE MONUMENT ALONG A PROPOSED DRIVEWAY; THENCE ALONG THE PROPOSED DRIVEWAY NORTH THIRTY EIGHT ( 38 ) DEGREE ELEVEN ( 11 ) MINUTES TEN ( 10 ) SECONDS EAST TWO HUNDRED EIGHTY ONE AND SIXTEEN HUNDREDTHS ( 281.16 ) FEET TO A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 ALSO KNOWN AS GREENHOUSE ROAD; THENCE IN AND ALONG SAID CENTERLINE SOUTH FIFTY ONE ( 51 ) DEGREES SEVEN ( 07 ) MINUTES THIRTY FIVE ( 35 ) SECONDS EAST TWO HUNDRED ELEVEN AND TWENTY SEVEN HUNDREDTHS ( 211.27 ) FEET TO A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 AND THE PLACE OF BEGINNING.

THE GRANTORS HEREIN RESERVE UNTO THEMSELVES THEIR HEIRS AND ASSIGNS AN EASEMENT ALONG THE EASTERN SIDE OF THE ABOVE DESCRIBED PREMISES A WIDTH OF THIRTY ( 30 ) FEET FOR ACCESS TO LOT 1-B AS SHOWN ON THE MINOR SUBDIVISION FOR RICHARD E. GREENFIELD AS PREPARED BY RODNEY LEE DECKER, REGISTERED SURVEYOR.

CONTAINING 1.347 ACRES TO THE CENTERLINE OF SAID ROADWAY AND 1.226 ACRES TO THE DEDICATED RIGHT OF WAY LINE.

BEING LOT NO. 1-A OF A MINOR SUBDIVISION PLAN FOR RICHARD E. GREENFIELD PREPARED BY RODNEY LEE DECKER, REGISTERED SURVEYOR DATED NOVEMBER 17, 1997 AND REVISED DECEMBER 23, 1997, JANUARY 19, 1998 AND JULY 8, 1998. SAID PLOT PLAN WAS RECORDED AUGUST 14, 1998 IN THE RECORDER OF DEEDS OFFICE IN AND FOR YORK COUNTY, PENNSYLVANIA IN PLAN BOOK PP PAGE 623.

PROPERTY ADDRESS: 19 WEST GREENHOUSE ROAD, DILLSBURG, PA 17019

TAX PARCEL ID: 67290000B0033G000000

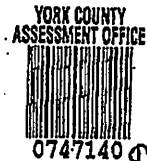
BEING THE SAME PROPERTY WHICH RICHARD E. GREENFIELD AND LYNNE M. GREENFIELD, HUSBAND AND WIFE GRANTED AND CONVEYED UNTO TRACY L. GERBER AND BRIAN A. GERBER, WIFE AND HUSBAND, BY DEED DATED SEPTEMBER 18, 1998 AND RECORDED OCTOBER 1, 1998 IN THE RECORDER'S OFFICE OF YORK COUNTY, PA IN BOOK 1338 PAGE 8973.



# EXHIBIT C



74876



This Instrument Prepared By:

After Recording Return To:  
HOMELoanADVISORS.COM  
600 ANTON BLVD. SUITE 1700  
COSTA MESA, CALIFORNIA 92626

PIN/ID Number: 67290000B0033Q000000

Property Address: 19 WEST GREENHOUSE ROAD, DILLSBURG, PENNSYLVANIA

Recording Requested By:

LSI 3860943

Loan Number: 3915701/ 410995

MIN: 100022100196979785

### CORPORATION ASSIGNMENT OF MORTGAGE

FOR VALUE RECEIVED, the undersigned hereby grants, assigns and transfers to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS ("MERS") INC., ISAOA, 1595 SPRING HILL ROAD SUITE 310, VIENNA, VA 22182 ("Assignee"), all of its right, title and interest in and to the property covered by that certain Mortgage dated JULY 9 2007, #2007057077, REC 8-1-07, recorded in Book 1911, Volume , and Page 3997, executed by TRACY L. GERBER AND BRIAN A. GERBER, WIFE AND HUSBAND

to HOMELoanADVISORS.COM, A CALIFORNIA CORPORATION  
and recorded as in the Official Records in the County Recorder's office of

, as mortgagor,  
, as mortgagee,

YORK County, Pennsylvania,

describing the land herein as: SEE ATTACHED SCHEDULE A  
A.P.N.: 67290000B0033Q000000

PROPERTY ADDRESS: 19 WEST GREENHOUSE ROAD, DILLSBURG, PENNSYLVANIA  
17019

("Property").

PENNSYLVANIA CORPORATION ASSIGNMENT OF MORTGAGE  
05/23/08 Page 1 of 3

DocMagic eForms 800-649-1362  
www.docmagic.com

Book 1925 Page 6690

This Property is located in the municipality of DILLSBURG  
(if located in the City of Pittsburgh), County of YORK

, Ward No.  
, State of Pennsylvania.

TOGETHER with the note or notes therein described or referred to, including, but not limited to that certain note of even date therewith in the original principal amount of \$ 247,500.00 , the money due and to become due thereon with interest, and all rights accrued or to accrue under said Mortgage.

HOMELoanADVISORS.COM, A CALIFORNIA CORPORATION

By:

JEFFREY A. PITTMAN, PRESIDENT

(Corporate Seal)

Attested:

By:

LINDA PHAM

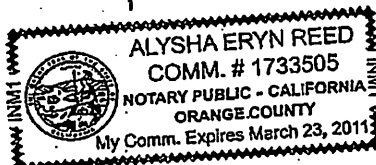
DATE July 23, 2007  
STATE OF California  
COUNTY OF Orange

On July 23, 2007 before me, Alysha Eryn Reed  
Notary Public, personally appeared Jeffrey A. Pittman

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s); or the entity upon behalf of which the person(s); acted, executed the instrument.

WITNESS my hand and official seal.

Signature



(Seal)

PENNSYLVANIA CORPORATION ASSIGNMENT OF MORTGAGE  
05/23/06 Page 2 of 3

DocMagic eForms 800-649-1362  
www.docmagic.com

**Certificate of Residence of Assignee**

The undersigned hereby certifies that: (i) he/she is the Mortgagee or the duly authorized attorney or agent of the Assignee named in the within instrument; and (ii) Assignee's precise residence is: P.O. BOX 660530, DALLAS, TEXAS 75266-0530

Witness my hand this                      day of

\_\_\_\_\_  
Signature of Mortgagee or Mortgagee's Duly Authorized Attorney or Agent

\_\_\_\_\_  
Type or Print Name of Mortgagee or Mortgagee's Duly Authorized Attorney or Agent

## OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Commitment Number: 2007050737

## SCHEDULE A



1. Commitment Date: June 20, 2007

2. Policy (or Policies) to be Issued:

Amount

(a) Owner's Policy (ALTA Own. Policy (10/17/92) )  
 Proposed Insured:

(b) Loan Policy (ALTA Loan Policy (10/17/92) )

\$ 247,500.00

Proposed Insured:

HOMELoanADvisors.com, its successors and/or assigns, as their  
 respective interests may appear.

(c) ( )

Proposed Insured:

3. Fee Simple Interest in the land described in this Commitment is owned, at the Commitment Date, by:

TRACY L. GERBER AND BRIAN A. GERBER, WIFE AND HUSBAND by deed  
 dated SEPTEMBER 18, 1998 and recorded OCTOBER 1, 1998 in the Recorder's  
 Office of YORK County, Pennsylvania in BOOK 1338 PAGE 8973.

4. The land referred to in this Commitment is described as follows:

ALL THAT CERTAIN TRACT OF LAND SITUATE IN FRANKLIN TOWNSHIP, YORK COUNTY,  
 PENNSYLVANIA, BEING MORE FULLY BOUNDED AND LIMITED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 ALSO KNOWN AS  
 GREENHOUSE ROAD; THENCE ALONG LANDS OF JAMES H. WESTBROOK SOUTH THIRTY NINE ( 39 )  
 DEGREES FIFTEEN ( 15 ) MINUTES TEN ( 10 ) SECONDS WEST TWO HUNDRED EIGHTY ONE  
 AND FOURTEEN HUNDREDTHS ( 281.14 ) FEET TO A SURVEYOR'S MARKER AT LANDS OF JAMES  
 H. WESTBROOK; THENCE ALONG LOT NO. 1-B NORTH FIFTY ONE ( 51 ) DEGREES SEVEN ( 07 )  
 MINUTES THIRTY FIVE ( 35 ) SECONDS WEST TWO HUNDRED SIX AND THREE HUNDREDTHS ( 206.03 )  
 FEET TO A CONCRETE MONUMENT ALONG A PROPOSED DRIVEWAY; THENCE ALONG  
 THE PROPOSED DRIVEWAY NORTH THIRTY EIGHT ( 38 ) DEGREE ELEVEN ( 11 ) MINUTES TEN ( 10 )  
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 ROAD; THENCE IN AND ALONG SAID CENTERLINE SOUTH FIFTY ONE ( 51 ) DEGREES SEVEN ( 07 )  
 MINUTES THIRTY FIVE ( 35 ) SECONDS EAST TWO HUNDRED ELEVEN AND TWENTY SEVEN  
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THE GRANTORS HEREIN RESERVE UNTO THEMSELVES THEIR HEIRS AND ASSIGNS AN  
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 THIRTY ( 30 ) FEET FOR ACCESS TO LOT 1-B AS SHOWN ON THE MINOR SUBDIVISION FOR  
 RICHARD E. GREENFIELD AS PREPARED BY RODNEY LEE DECKER, REGISTERED SURVEYOR.

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PROPERTY ADDRESS: 19 WEST GREENHOUSE ROAD, DILLSBURG, PA 17019

TAX PARCEL ID: 290000500330000000

BEING THE SAME PROPERTY WHICH RICHARD E. GREENFIELD AND LYNNE M. GREENFIELD, HUSBAND AND WIFE GRANTED AND CONVEYED UNTO TRACY L. GERBER AND BRIAN A. GERBER, WIFE AND HUSBAND, BY DEED DATED SEPTEMBER 18, 1998 AND RECORDED OCTOBER 1, 1998 IN THE RECORDER'S OFFICE OF YORK COUNTY, PA IN BOOK 1338 PAGE 8973.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

By: 

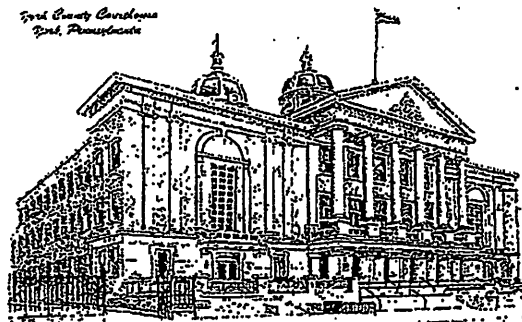
Authorized Officer or Agent

EXCLUSIVE SETTLEMENT SERVICES, INC.

EXCLUSIVE SETTLEMENT SERVICES, INC. ~ 1000 CLIFF MINE ROAD SUITE 250 ~ PITTSBURGH, PA 15275

**YORK COUNTY RECORDER OF DEEDS**  
**28 EAST MARKET STREET**  
**YORK, PA 17401**

*Randi L. Reisinger - Recorder*  
*Gloria A. Fleming - Deputy*



Instrument Number - 2007074876  
Recorded On 10/4/2007 At 3:01:51 PM  
\* Instrument Type - ASSIGNMENT OF MORTGAGE  
Invoice Number - 727606  
\* Grantor - GERBER, TRACY L  
\* Grantee - MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC  
User - PAM  
\* Customer - LSI NORTH RECORDING DIVISION

Book - 1925 Starting Page - 6690  
\* Total Pages - 6

\* Received By: MAIL

**\* FEES**  
STATE WRIT TAX \$0.50  
JCS/ACCESS TO JUSTICE \$10.00  
RECORDING FEES \$15.00  
PIN NUMBER FEES \$2.00  
COUNTY ARCHIVES FEE \$2.00  
ROD ARCHIVES FEE \$3.00  
TOTAL PAID \$32.50

PARCEL IDENTIFICATION NUMBER  
290000B0033Q000000  
Total Parcels: 1

I Certify This Document To Be  
Recorded In York County, Pa.



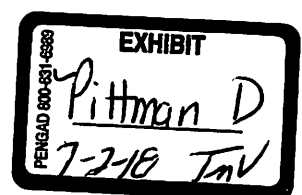
*Randi L. Reisinger*  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE  
**PLEASE DO NOT DETACH**  
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

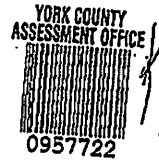
Book: 1925 Page: 6695

# EXHIBIT D





ASG-1  
49848  
Prepared By and Return To: Referral Department  
GOLDBECK McCAFFERTY & McKEEVER  
Mellon Independence Center - Suite 5000  
701 Market Street  
Philadelphia, PA 19106-1532  
215-825-6344



0019697978

GMM File Number: 102326FC

67-  
Parcel ID#: 29-000-OB0033.Q0-00000

### ASSIGNMENT OF MORTGAGE

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (Assignor),  
for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration,  
the receipt of which is acknowledged, does grant bargain, sell, assign and transfer to BANK OF  
AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY MERGER TO LASALLE BANK  
NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR  
STEARNS ASSET BACKED SECURITIES I LLC, ASSET-BACKED CERTIFICATES, SERIES  
2007-HE7.  
E/TR

BANK OF AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY  
MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR  
CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC,  
ASSET-BACKED CERTIFICATES, SERIES 2007-HE7 (Assignee),  
all of its right, title and interest, as holder of, in, and to the following described mortgage, the property  
described and the indebtedness secured by the mortgage:

Executed BRIAN A. GERBER and TRACY L. GERBER, Mortgagor(s); to  
HOMELoanADVISORS.COM. Bearing date of: July 09, 2007; Amount Secured: \$247,500.00;  
Recorded on August 01, 2007; in Book 1911 Page 3997; in the Recorder of Deeds Office of York  
County, Commonwealth of Pennsylvania ("Mortgage")

Property: 19 West Greenhouse Road, Dillsburg, PA 17019


AS FURTHER DESCRIBED IN EXHIBIT "A", ATTACHED AND INCORPORATED INTO THIS  
ASSIGNMENT.

Together with the note or obligation described in the Mortgage endorsed to the Assignee, ("Note") and all  
moneys due and to become due on the Note and Mortgage, with interest. Assignee its successors, legal  
representatives and assigns shall hold all rights under the Note and Mortgage forever, subject however, to  
the right and equity of redemption, if any, of the maker(s) of the Mortgage, their heirs and assigns forever.

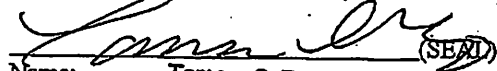
Assignor, by its appropriate corporate officers, has executed and sealed with its corporate seal this  
Assignment of Mortgage on this 27 day of September, 2010.

R  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.

(Affix Corporate Seal)

 (SEAL)

Name: Tonia Y. McFadden-Williams  
Title: Vice President

 (SEAL)

Name: Tamara S. Reitz  
Title: Vice President

ss:  
STATE OF Ohio ) COUNTY OF Franklin )

BE IT REMEMBERED, that on this 27 day of September, 2010, before me, the subscriber, a  
Notary Public personally appeared

Tonia Y. McFadden-Williams

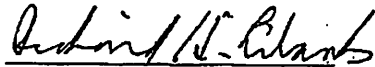
Vice President

Tamara S. Reitz

Vice President

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

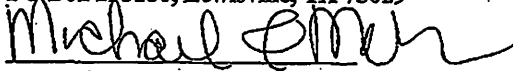
officers of Assignor, who I am satisfied are the persons who signed the within instrument and they  
acknowledged that they signed, sealed with the corporate seal and delivered the same as such officers  
aforesaid, and that the within instrument is the voluntary act and deed of such corporation made by virtue  
of a Resolution of its Board of Directors.



Notary Public

My commission expires:

I hereby certify the address of the Assignee is:  
PO Box 293150, Lewisville, TX 75029





RICHARD H. EUBANKS  
Notary Public, State of Ohio.  
My Comm. Expires May 12, 2015

0019697978

Case #: 102326FC

**SCHEDULE "A"**  
**PROPERTY DESCRIPTION**

**Legal description of the land:**

ALL THAT CERTAIN TRACT OF LAND SITUATE IN FRANKLIN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, BEING MORE FULLY BOUNDED AND LIMITED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 ALSO KNOWN AS GREENHOUSE ROAD; THENCE ALONG LANDS OF JAMES H. WESTBROOK SOUTH THIRTY NINE ( 39 ) DEGREES FIFTEEN ( 15 ) MINUTES TEN ( 10 ) SECONDS WEST TWO HUNDRED EIGHTY ONE AND FOURTEEN HUNDREDTHS ( 281.14 ) FEET TO A SURVEYOR'S MARKER AT LANDS OF JAMES H. WESTBROOK; THENCE ALONG LOT NO. 1-B NORTH FIFTY ONE ( 51 ) DEGREES SEVEN ( 07 ) MINUTES THIRTY FIVE ( 35 ) SECONDS WEST TWO HUNDRED SIX AND THREE HUNDREDTHS ( 206.03 ) FEET TO A CONCRETE MONUMENT ALONG A PROPOSED DRIVEWAY; THENCE ALONG THE PROPOSED DRIVEWAY NORTH THIRTY EIGHT ( 38 ) DEGREE ELEVEN ( 11 ) MINUTES TEN ( 10 ) SECONDS EAST TWO HUNDRED EIGHTY ONE AND SIXTEEN HUNDREDTHS ( 281.16 ) FEET TO A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 ALSO KNOWN AS GREENHOUSE ROAD; THENCE IN AND ALONG SAID CENTERLINE SOUTH FIFTY ONE ( 51 ) DEGREES SEVEN ( 07 ) MINUTES THIRTY FIVE ( 35 ) SECONDS EAST TWO HUNDRED ELEVEN AND TWENTY SEVEN HUNDREDTHS ( 211.27 ) FEET TO A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 AND THE PLACE OF BEGINNING.

THE GRANTORS HEREIN RESERVE UNTO THEMSELVES THEIR HEIRS AND ASSIGNS AN EASEMENT ALONG THE EASTERN SIDE OF THE ABOVE DESCRIBED PREMISES A WIDTH OF THIRTY ( 30 ) FEET FOR ACCESS TO LOT 1-B AS SHOWN ON THE MINOR SUBDIVISION FOR RICHARD E. GREENFIELD AS PREPARED BY RODNEY LEE DECKER, REGISTERED SURVEYOR.

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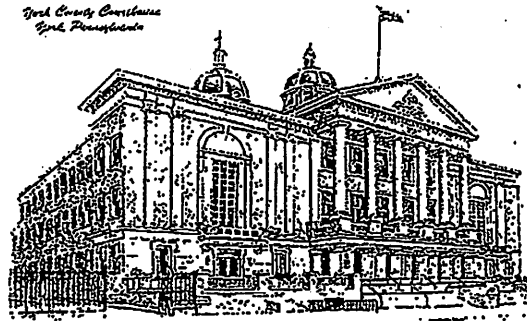
PROPERTY ADDRESS: 19 WEST GREENHOUSE ROAD, DILLSBURG, PA 17019

TAX PARCEL ID: 57290000B0033Q000000

BEING THE SAME PROPERTY WHICH RICHARD E. GREENFIELD AND LYNNE M. GREENFIELD, HUSBAND AND WIFE GRANTED AND CONVEYED UNTO TRACY L. GERBER AND BRIAN A. GERBER, WIFE AND HUSBAND, BY DEED DATED SEPTEMBER 18, 1998 AND RECORDED OCTOBER 1, 1998 IN THE RECORDER'S OFFICE OF YORK COUNTY, PA IN BOOK 1338 PAGE 8973.

**YORK COUNTY RECORDER OF DEEDS**  
**28 EAST MARKET STREET**  
**YORK, PA 17401**

*Randi L. Reisinger - Recorder*  
*Gloria A. Fleming - Deputy*



Instrument Number - 2010049848  
Recorded On 10/14/2010 At 10:15:01 AM  
\* Instrument Type - ASSIGNMENT OF MORTGAGE  
Invoice Number - 906957  
\* Grantor - GERBER, BRIAN A  
\* Grantee - BANK OF AMERICA NATIONAL ASSOCIATION  
User - DS  
\* Customer - GOLDBECK MCCAFFERTY MCKEEVER

Book - 2096 Starting Page - 5331  
\* Total Pages - 4

\* Received By: MAIL

\* **FEEs**  
STATE WRIT TAX \$0.50  
JCS/ACCESS TO JUSTICE \$23.50  
RECORDING FEES \$14.00  
PIN NUMBER FEES \$10.00  
COUNTY ARCHIVES FEE \$2.00  
ROD ARCHIVES FEE \$3.00  
TOTAL PAID \$53.00

PARCEL IDENTIFICATION NUMBER  
290000B0033Q000000  
Total Parcels: 1

I Certify This Document To Be  
Recorded In York County, Pa.



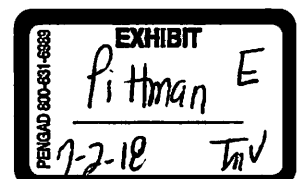
*Randi L. Reisinger*  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE  
**PLEASE DO NOT DETACH**  
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

Book: 2096 Page: 5334

# EXHIBIT E



Inst. # 2016050400 - Page 1 of 3

CERTIFIED PROPERTY IDENTIFICATION NUMBERS  
290000B0033Q000000 FRANKLIN TP  
YCGIS REGISTRY 11/10/2016 BY WL

Prepared by & Return to:  
April Morgan Hincy, Esquire  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219

Parcel No. 67290000B0033Q000000

Above space is intentionally left blank for recording data.

#### ASSIGNMENT OF MORTGAGE

For value received, the undersigned, BANK OF AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC, ASSET-BACKED CERTIFICATES, SERIES 2007-HE7 does hereby grant, sell, convey, assign and deliver unto the U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION, AS SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC, ASSET-BACKED CERTIFICATES, SERIES 2007-HE7, its successors and assigns, the following described Mortgage, together with the Note secured thereby:

Name of Original Mortgagor(s): BRIAN A. GERBER AND TRACY L. GERBER  
Secured by the real property located at: 19 WEST GREENHOUSE ROAD, DILLSBURG, PA 17019  
Original Principal Amount of Mortgage: \$247,500.00 . Mortgage Dated: JULY 9, 2007  
County Recorded in: YORK Municipality: ~~DILLSBURG~~ FRANKLIN TOWNSHIP

The recording information is as follows: Mortgage Recording Date: AUGUST 1, 2007  
Record Book 1911 Page 3997

IN WITNESS WHEREOF, the undersigned, has caused this Assignment of Mortgage to be executed by its duly authorized officer.

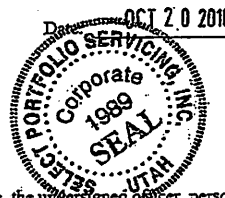
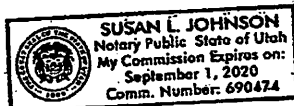
BANK OF AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC, ASSET-BACKED CERTIFICATES, SERIES 2007-HE7, by its servicer and attorney-in-fact, SELECT PORTFOLIO SERVICING, INC.

By: [Signature]  
Title: Bill Koch, Document Control Officer

STATE OF UTAH  
COUNTY OF SALT LAKE

On this, the 20 day of October, 2016, before me, the undersigned officer, personally appeared Bill Koch, an authorized officer of Bank of America, National Association as successor by merger to Lasalle Bank National Association, as Trustee for Certificateholders of Bear Stearns Asset Backed Securities I LLC, Asset-Backed certificates, Series 2007-HE7, by its servicer and attorney-in-fact, Select Portfolio Servicing, Inc., known to me (or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he/she, being authorized to do so, executed the foregoing instrument for the purposes therein contained).

In witness whereof, I have hereunto set my hand and official seal.



[Signature: Susan L. Johnson]  
Notary Public

#### CERTIFICATE OF RESIDENCE OF ASSIGNEE

The below officer certifies that the principal business and mailing address for this assignment and assignee is:

Bank of America, National Association as successor by merger to Lasalle Bank National Association, as Trustee for Certificateholders of Bear Stearns Asset Backed Securities I LLC, Asset-Backed certificates, Series 2007-HE7 c/o Select Portfolio Servicing, Inc.  
3217 S. Decker Lake Drive  
Salt Lake City, UT 84119

17-

Insc. # 2016050400 - Page 2 of 3

## SCHEDULE "A"

## PROPERTY DESCRIPTION

Legal description of the land:

ALL THAT CERTAIN TRACT OF LAND SITUATE IN FRANKLIN TOWNSHIP, YORK COUNTY, PENNSYLVANIA, BEING MORE FULLY BOUNDED AND LIMITED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 ALSO KNOWN AS GREENHOUSE ROAD; THENCE ALONG LANDS OF JAMES H. WESTBROOK SOUTH THIRTY EIGHT (38) DEGREES FIFTEEN (15) MINUTES TEN (10) SECONDS WEST TWO HUNDRED EIGHTY ONE AND FOURTEEN HUNDREDTHS (281.14) FEET TO A SURVEYOR'S MARKER AT LANDS OF JAMES H. WESTBROOK; THENCE ALONG LOT NO. 1-B NORTH FIFTY ONE (51) DEGREES SEVEN (07) MINUTES THIRTY FIVE (35) SECONDS WEST TWO HUNDRED SIX AND THREE HUNDREDTHS (206.03) FEET TO A CONCRETE MONUMENT ALONG A PROPOSED DRIVEWAY; THENCE ALONG THE PROPOSED DRIVEWAY NORTH THIRTY EIGHT (38) DEGREE ELEVEN (11) MINUTES TEN (10) SECONDS EAST TWO HUNDRED EIGHTY ONE AND SIXTEEN HUNDREDTHS (281.16) FEET TO A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 ALSO KNOWN AS GREENHOUSE ROAD; THENCE IN AND ALONG SAID CENTERLINE SOUTH FIFTY ONE (51) DEGREES SEVEN (07) MINUTES THIRTY FIVE (35) SECONDS EAST TWO HUNDRED ELEVEN AND TWENTY SEVEN HUNDREDTHS (211.27) FEET TO A POINT IN THE CENTERLINE OF TOWNSHIP ROAD T-881 AND THE PLACE OF BEGINNING.

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PROPERTY ADDRESS: 19 WEST GREENHOUSE ROAD, DILLSBURG, PA 17019

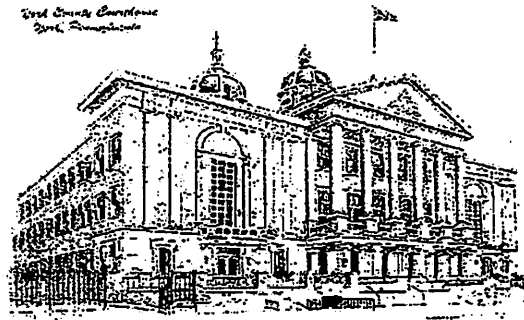
TAX PARCEL ID: 67290000B0033Q0000000

BEING THE SAME PROPERTY WHICH RICHARD E. GREENFIELD AND LYNNE M. GREENFIELD, HUSBAND AND WIFE GRANTED AND CONVEYED UNTO TRACY L. GERBER AND BRIAN A. GERBER, WIFE AND HUSBAND, BY DEED DATED SEPTEMBER 18, 1998 AND RECORDED OCTOBER 1, 1998 IN THE RECORDER'S OFFICE OF YORK COUNTY, PA IN BOOK 1338 PAGE 8973.

Inst. # 2016050400 - Page 3 of 3

**YORK COUNTY RECORDER OF DEEDS**  
**28 EAST MARKET STREET**  
**YORK, PA 17401**

*Randi L. Reisinger - Recorder*  
*Bradley G. Daugherty - Deputy*



Instrument Number - 2016050400

Recorded On 11/14/2016 At 9:18:47 AM

\* Instrument Type - ASSIGNMENT OF MORTGAGE

Invoice Number - 1208872

\* Grantor - GERBER, TRACY L

\* Grantee - U S BANK NATIONAL ASSOCIATION-TR

User - DMH

\* Customer - SIMPLIFILE LC E-RECORDING

Book - 2395 Starting Page - 4941

\* Total Pages - 3

\* Received By:

**\* FEES**

STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$35.50
RECORDING FEES	\$15.50
PIN NUMBER FEES	\$10.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TOTAL PAID	\$66.50

**PARCEL IDENTIFICATION NUMBER**

290000B0033Q000000

Total Parcels: 1

I Certify This Document To Be  
Recorded In York County, Pa.



*Randi L. Reisinger*  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE  
**PLEASE DO NOT DETACH**  
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Book: 2395 Page: 4943





### **GENERAL OBJECTIONS**

1. Pursuant to Fed. R. Civ. P. 32(d), Plaintiff objects to the Amended Notice of Deposition dated June 11, 2018.
2. Plaintiff objects to any and all matters listed in the Notice of Deposition to the extent they seek information subject to attorney-client privilege, protect under the work product doctrine, protected under any other applicable privilege, an/or that is not subject to disclosure.
3. Plaintiff objects to the Notice of Deposition to the extent it seeks to impose on Plaintiff any obligations or responsibilities other than those mandated by the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Middle District of Pennsylvania.
4. Plaintiff objects to any and all deposition matters that are overly broad, unduly burdensome, and that seek information that is neither relevant to this action nor reasonably calculated to lead to the discovery of relevant information.
5. In addition to these General Objections, Plaintiff asserts specific objections as set forth below. By stating these specific objections, Defendants do not waive any of the General Objections that may also be applicable to specific topics.

**SPECIFIC RESPONSES AND OBJECTIONS**

1. All matters set forth in Plaintiff's Complaint.

**RESPONSE:**

Plaintiff will designate a representative to testify to the matters set forth in the Complaint.

2. The manner and means by which Plaintiff claims to have come into the right to seek enforcement of the Note and Mortgage.

**RESPONSE:**

Plaintiff objects to this topic and any questions arising under this topic because it is vague and ambiguous, and seeks information that is neither relevant to the Complaint in foreclosure nor proportional to the needs of the case. Plaintiff further objects to this topic and any questions arising under this topic to the extent they seek information subject to attorney-client privilege, protected under the work product doctrine, protected under any other applicable privilege, and/or that is not subject to disclosure.

Subject to and without waiving the foregoing general and specific objections, Plaintiff will designate a representative to testify to its possession of the original Note and endorsements, and to its status as mortgagee.

3. The formation and operation of the securitized mortgage loan Trust into which Plaintiff claims the Gerbers' mortgage was transferred.

**RESPONSE:**

Plaintiff objects to this topic and any questions arising under this topic because it is overly broad, unduly burdensome, vague, ambiguous, and seeks information that is neither relevant to the Complaint in foreclosure nor reasonably proportional to the needs of the case. By way of further objection, Plaintiff is the Trustee, not the sponsor of the Trust. Subject to and without waiving the foregoing general and specific objections, Plaintiff will designate a representative to testify to the manner in which the Trust holds and services the Gerbers' mortgage loan.

4. Restrictions and limitations on the transfer of mortgage loans to the subject Trust.

**RESPONSE:**

Plaintiff objects to this topic and any questions arising under this topic because it is overly broad, unduly burdensome, vague, ambiguous, and seeks information that is neither relevant to the Complaint in foreclosure nor reasonably proportional to the needs of the case.

5. Execution and authority to execute the Allonge.

**RESPONSE:**

Plaintiff is not the entity that executed the Allonge and has no ability to testify regarding the execution of or authority to execute the Allonge.

6. The alleged authority of MERS to have assigned the Mortgage.

**RESPONSE:**

Plaintiff is not MERS and has no ability to testify regarding the activities of MERS.

7. All payments made toward the obligation evidenced by the Note by any source and at any time.

**RESPONSE:**

Plaintiff will designate a representative to testify as to this topic.

8. Plaintiff's compliance with paragraph 22 of the Mortgage.

**RESPONSE:**

Plaintiff will designate a representative to testify as to this topic.

9. The Gerbers' rescission of the loan.

**RESPONSE:**

Plaintiff objects to this topic because it is vague, ambiguous, presumes the existence of a fact that is disputed, and presumes a legal conclusion. Subject to and without waiving the foregoing general and specific objections, Plaintiff will designate a representative to testify regarding the Gerbers' demand to rescind the loan and the determination by the Plaintiff's servicer that the demand was improper.

10. The unilateral modification of the mortgage loan contract as alleged in Gerbers' Counterclaim.

**RESPONSE:**

Plaintiff objects to this topic and any questions arising under this topic because it is overly broad, unduly burdensome, vague, ambiguous, and seeks information that is neither relevant to the Complaint in foreclosure nor reasonably proportional to the needs of the case. Plaintiff further objects to this topic because it presumes the existence of a fact that is disputed, and presumes a legal conclusion. Subject to and without waiving the foregoing general and specific objections, Plaintiff will designate a representative who can testify that there has been no modification of the Note or Mortgage beyond endorsement and assignment.

As to objections,

Date: June 28, 2018

/s/Adam M. Shienvold

---

Adam M. Shienvold, Esquire (PA 81941)  
ECKERT SEAMANS CHERIN & MELLOTT, LLC  
213 Market Street, 8<sup>th</sup> Floor  
Harrisburg, PA 17101  
Telephone: 717.237.6029  
Facsimile: 717.237.6019  
Email: [ashienvold@eckertseamans.com](mailto:ashienvold@eckertseamans.com)

Counsel for Plaintiff, U.S. Bank National  
Association, as Trustee, Successor in Interest to Bank  
of America, National Association as Trustee as  
Successor by Merger to LaSalle Bank National  
Association, as Trustee for Certificateholders of Bear  
Stearns Asset Backed Securities I LLC, Asset-  
Backed Certificates, Series 2007-HE7

**CERTIFICATE OF SERVICE**

I hereby certify that on this 28<sup>th</sup> day of June, 2018, I served a true and correct copy of PLAINTIFF'S OBJECTIONS AND DESIGNATIONS TO DEFENDANTS' AMENDED NOTICE OF DEPOSITION PURSUANT TO RULE 30(B)(6) upon the persons indicated below via electronic mail, addressed to:

Stephen K. Portko, Esquire  
Law Offices of Stephen K. Portko  
101 South U.S. Route 15  
Dillsburg, PA 17019  
[skportko@aol.com](mailto:skportko@aol.com)

Jeff Barnes, Esquire  
W. J. Barnes, P.A.  
1515 North Federal Highway, Suite 300  
Boca Raton, FL 33432  
[jeff@wjbarneslaw.com](mailto:jeff@wjbarneslaw.com)

*Counsel for Defendants*

/s/ Adam M. Shienvold

Adam M. Shienvold, Esquire  
Counsel for Plaintiff